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*Admitted only in Maryland
*Admitted only in Virginia
*Practice limited to
Federal Agencies

March 9, 2007

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1616

Attn: Mail Stop Amendment

Re: U.S. Patent Application
Appln. No. 10/563,328; Filed: December 30, 2005
For: **Agrochemical Formulations**
Inventors: ROCHLING *et al.*
Our Ref: 2400.0120000/VLC/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A (2 sheets);
3. Form PTO/SB/08B (1 sheet);
4. Copies of fourteen (14) cited references (documents FP1 - FP12 and NPL1 - NPL2);
and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
March 9, 2007
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "B. Skelton", written over a horizontal line.

Bryan L. Skelton
Attorney for Applicants
Registration No. 50,893

BLS/egw
Enclosure(s)

650925v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RÖCHLING *et al.*

Appl. No.: 10/563,328

§ 371(c) Date: December 30, 2005

For: **Agrochemical Formulations**

Confirmation No.: 6764

Art Unit: 1616

Examiner: PRYOR, Alton Nathaniel

Atty. Docket: 2400.0120000/VLC/BLS

**Information Disclosure Statement
under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP12** and **NPL1** to **NPL2** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents and a patent application publication cited on the attached Form PTO/SB/08A, documents **US1** to **US7**, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, **FP2** to **FP5** and **FP11**, cited on Form PTO/SB/08A:

Document **FP2**, WO 88/06406 A1, is in the German language. An English language abstract of document FP2 can be found on the face page of the published patent application.

Document **FP5**, EP 0 681 865 A2, is in the German language. An English language equivalent of document FP5 is listed as document **US4**.

Documents **FP3** and **FP4** were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38. The search report is attached as document **NPL2** on the IDS Form, PTO/SB/08B.

Document **FP11**, WO 00/35278 A1, is in the German language. An English language abstract of document FP11 can be found on the face page of the published patent application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan L. Skelton
Attorney for Applicants
Registration No. 50,893

Date: MARCH 9, 2007

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/563,328
§ 371(c) Date	December 30, 2005
First Named Inventor	RÖCHLING, Andreas
Art Unit	1616
Examiner Name	PRYOR, Alton Nathaniel
Attorney Docket Number	2400.0120000/VLC/BLS

Sheet	1	of	2
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ² Number ⁴ Kind Code ³ (if known)			
	FP1	EP 0 235 773 A1	09/09/1987	Celamerck GmbH & Co. KG	
	FP2	WO 88/06406 A1	09/07/1988	Agrolinz Agrarchemikalien Gesellschaft m.b.H.	Abs
	FP3	EP 0 281 810 A1	09/14/1988	Agrolinz Agrarchemikalien Gesellschaft m.b.H.	ISR
	FP4	EP 0 655 197 A1	05/31/1995	Bayer AG	ISR
	FP5	EP 0 681 865 A2	11/15/1995	Bayer AG	
	FP6	WO 98/35553 A1	08/20/1998	Imperial Chemical Industries PLC	
	FP7	EP 0 933 025 A1	08/04/1999	American Cyanamid Company	
	FP8	WO 99/65301 A1	12/23/1999	Uniroyal Chemical Company, Inc.	
	FP9	EP 1 023 837 A2	08/02/2000	American Cyanamid Company	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/563,328		
		§ 371(c) Date	December 30, 2005		
		First Named Inventor	RÖCHLING, Andreas		
		Art Unit	1616		
		Examiner Name	PRYOR, Alton Nathaniel		
Sheet	1	of	1	Attorney Docket Number	2400.0120000/VLC/BLS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Dutzmann, S., <i>et al.</i> , "HEC5725: A novel leaf-systemic strobilurin fungicide," <i>The BCPC Conference: Pests & Diseases 1</i> :365-370, British Crop Protection Council (November 2002)	
	NPL2	International Search Report for International Application No. PCT/EP2004/006673, European Patent Office, Netherlands, mailed November 24, 2004	

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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